

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

Matt Jenkins,	)	CASE NO.: 3:11 CV 1191
	)	
Plaintiff,	)	JUDGE: David A. Katz
	)	
vs.	)	
	)	
United Collection Bureau, Inc., et al,	)	
	)	
Defendants.	)	
	)	

**MOTION FOR LEAVE TO AMEND**  
**BY INTERLINEATION**

Citibank (South Dakota), N.A. now known as Citibank, N.A., successor in interest to Citibank (South Dakota) N.A., hereby moves this honorable Court for leave to amend by interlineation, its answer, affirmative defenses and counterclaim (Doc. No. 5), at page 2, changing “...pursuant to Fed. R. Civ. P. 13(h) and 20(a)(2),...” to “...pursuant to Fed.R. Civ.P. 13(h), 19 and 20(a)(2) . . .”

As grounds, Defendant states that the reference to Fed.R.Civ.P. 19 was inadvertently omitted from the answer, and Defendant intends to argue, in response to Plaintiff's motion to dismiss, that its counterclaim meets the logical relationship standard for compulsory counterclaims, *Sanders v. First Nat. Bank & Trust Co. in Great Bend*, 936 F.2d 273, 277 (6<sup>th</sup> Cir. 1991); as well as the case or controversy requirement of 28 U.S.C. § 1367(a). *Frisby v. Keith D. Weiner & Associates Co., LPA* 669 F.Supp.2d 863, 872 (N.D. Ohio 2009).

Respectfully Submitted:

/s/ Michael D. Slodov  
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**Proof of Service**

I hereby certify that on July 20, 2011 a copy of the foregoing was filed electronically in accordance with the Court's Electronic Filing Guidelines. Notice of this filing will be sent to the parties by operation of the court's electronic filing system. Parties may access this filing through the court's system.

/s/ Michael D. Slodov  
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